



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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### Public Notice – Environmental Regulation Car Wash Facilities General Permit Reissuance

**Notice of intended action:** The State Water Control Board intends to consider drafting a proposal for the amendment of a general permit regulation on water quality. A regulation is a general rule governing people's rights or conduct that is upheld by a state agency. This general permit regulation will allow the release of treated wastewater into waters of the Commonwealth for those who register for coverage under this permit.

**General Permit Regulation name:** Virginia Pollutant Discharge Elimination System Permit (VPDES) for Car Wash Facilities; 9 VAC 25-194 (VAG 75). Effective 10-16-2007, expires 10-15-2012.

**Purpose of notice:** The board is seeking comments through the Department of Environmental Quality on the intended regulatory action, including but not limited to 1) ideas to assist the board in the development of a proposal 2) the costs and benefits of the alternatives stated in this notice or other alternatives and 3) effects of the regulation on farm forest land preservation and 4) persons interested in participating on an advisory committee. The board is also seeking information on impacts on small businesses.

**Public comment period:** January 4, 2011 to February 2, 2011.

**Public meeting:** No public meeting.

**Public comment stage:** Notice of Intended Regulatory Action

**Subject matter and intent of proposal:** This proposed regulatory action is needed in order to establish appropriate and necessary permitting requirements for discharges of wastewater from car wash operations. These discharges are considered to be point sources of pollutants and thus are subject to regulation under the VPDES permit program. The primary issue that needs to be addressed is that the existing general permit expires on October 15, 2012 and must be reissued in order to continue making it available after that date. Other issues that need consideration are: if additional requirements are needed when a car wash discharges to impaired waters (e.g. waters with total maximum daily loads), waters with special standards (9VAC 35-260-310) or high quality or exceptional waters (e.g. per antidegradation requirements in 9VAC25-260-30). Also under consideration is whether the coin laundries general permit requirements should be moved and included in the car wash general permit since these types of discharges considered together as 'the auto and other laundries industry' when EPA was considering effluent guidelines for the industry in 1982 (*Guidance Document for Effluent Discharges from the Auto and Other Laundries Point Source Category, USEPA, February 1982*).

**Advisory committee:** The Board is using a technical advisory committee to develop a proposal. Persons interested in assisting in the development of a proposal should notify the department contact person by the end of the comment period and provide their name, address, phone number, email address and the

organization they represent (if any). The primary function of the advisory committee is to develop recommended regulation amendments for Department consideration through the collaborative approach of regulatory negotiation and consensus. Multi-applications from a single company, organization, group or other entity count as one for purposes of making the decision specified in the preceding sentence. Notification of the composition of the advisory committee will be sent to all applicants.

**How to comment:** DEQ accepts written comments by e-mail, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 11:59 p.m. on the last day of the comment period. All exhibits and documents received are part of the public record.

**How a decision is made:** After comments have been considered, the board will decide whether to take action on a proposal. If the board decides to consider the regulation, there will be another public comment opportunity, including a public hearing. After these comments have been considered, the board will make the final decision.

**To review regulation documents:** The agency background document (including purpose, statutory authority, need, substance of planned regulatory changes, alternatives and the family impact statement) is available on the Town Hall web site at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) and by contacting the DEQ representative named below. There are no regulation amendments available for public comment at this time. The public may review the documents at the address below or <http://www.deq.virginia.gov/vpdes/>.

**Contact for public comments, document requests and additional information:** George Cosby, Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23218. Telephone: (804) 698-4067 E-mail: [george.cosby@deq.virginia.gov](mailto:george.cosby@deq.virginia.gov) Fax: (804) 698-4032